REMARKS

In the Office Action dated January 21, 2004, the Examiner rejected claims 1, 10, 11, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Chorn (U.S. Patent No. 6,275,843) in view of Abe et al. (U.S. Patent No. 6,052,695), in further view of Simor (U.S. Patent No. 5,060,150), and in further view of Patterson (EP 0 964 332 A1) (Office Action [hereinafter "OA"], paragraph 4); rejected claims 2-7 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, and in further view of Hoffpauir (U.S. Stat. Inv. Reg. No. H1,896) (hereinafter "Hoffpauir 1") (OA, paragraph 6); rejected claims 8-9, 12-15, and 19-21 under 35 U.S.C. § 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, in view of Patterson, and in further view of Hoffpauir (U.S. Stat. Inv. Reg. No. H1,918) (hereinafter "Hoffpauir 2") (OA, paragraph 12); and rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, in further view of Hoffpauir 2, and in further view of Jones et al. (U.S. Patent No. 5,193,110) (OA, paragraph 18). Additionally, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a), as not showing every feature of the invention specified in the claims (OA, paragraph 3).

In view of the remarks that follow, Applicant respectfully traverses the Examiner's objection to the drawings under 37 C.F.R. § 1.83(a), and rejections of the claims under 35 U.S.C. § 103(a).

Regarding the Examiner's objection to the drawings, the Examiner asserted that:

"to provide an indication to the first process of an expected time before the resource will become available determined based on a call duration value associated with the second process", "resource manager", "first process", and "second process" must be shown or the feature(s) canceled from the claim(s).

Applicant again submits that the drawings as previously submitted show every feature of the invention specified in the claims. Nevertheless, in order to advance prosecution, Applicant has amended the drawings to show that step 204 of Figs. 11 and 12 (previously labeled "Return Hint") are steps that provide an indication of an expected time before a resource will become available. Support for this amendment may be found, for example, at page 15, line 9 through page 16, line 10. Applicant herewith submits replacement drawing sheets as appropriate.

Regarding the resource manager, the specification explicitly mentions in several locations that dispatchers, such as dispatchers 124, can be considered resource managers (see e.g., page 18, lines 2-8, 10-11). Because each of Figs. 4, 5, 7, and 13 show a dispatcher 124, at least each of these Figs. shows a resource manager. Accordingly, the drawings show a resource manager, contrary to the Examiner's assertion.

Regarding the first and second processes, the claims as originally filed recite that processes may comprise call processing applications (claim 15), and that the call processing applications may include at least one of a call answering application, a voicemail application, a facsimile application, or a data application (claim 16). Fig. 2 shows a voicemail application 88, an e-mail application 90, a fax application 92, and a paging application 94. Fig. 4 shows voice applications 126 and 146, fax applications

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128 and 148, and data applications 130 and 150. Fig. 5 shows voicemail application 126, fax application 128, e-mail application 130.1 and page application 130.2. Moreover, both Figs. 6 and 7 show a voice application 126, fax application 128, and data application 130. Because Figs. 2, 4, 5, 6, and 7 each show multiple applications that are explicitly claimed as being an example of processes, the drawings show a first and second process, contrary to the Examiner's assertion.

As demonstrated above, each of the features alleged to be missing from the drawings are in fact present. Accordingly, Applicant respectfully submits that the Examiner's objection is overcome, and that it is not necessary to further amend the drawings. Applicant requests that the Examiner remove the objection to the drawings.

The Examiner rejected claims 1, 10-11, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, and in further view of Patterson. Applicant respectfully traverses this rejection.

Regarding claim 1, the Examiner alleged that the references teach providing "an indication to the first process of the expected time before the resource will become available." Applicant respectfully disagrees with the Examiner's interpretation of the references.

Applicant submits that Patterson is not prior art with respect to the present application. Patterson was published on December 15, 1999. The present application, however, was filed on March 1, 1999 and has a foreign priority date of June 10, 1998, both of which dates are earlier than December 15, 1999. Even if the Examiner were to use the filing date of Patterson as the relevant date (which would be incorrect), Patterson still would not be prior art, because both Patterson and the present

application would have a priority date of June 10, 1998 (Applicant notes that <u>Patterson</u> and the present application have the same inventor, David John Martin Patterson, and have very similar descriptions). For at least the forgoing reasons <u>Patterson</u> is not prior art with respect to the present application. Accordingly, only <u>Chorn</u>, <u>Abe et al.</u>, and <u>Simor</u> remain as applicable references with respect to the claims.

<u>Chorn</u> discloses a system in which multiple service requests of a global transaction are processed by a single server application program instance without the use of multiple intermediate communication server instances (abstract). A client application program provides access to one or more resources that are required by a transaction (col. 6, line 64 - col. 7, line 1). A resource manager provides access to a resource for the application program (col. 7, lines 8-9). A communication resource manager controls communication between the client application program and other application programs that are participating in transactions (col. 7, lines 22-25). Thread identifiers are used by the communication resource manager to manage its resources for processes using the services of the communication resource manager (col. 14, lines 38-40). The resource managers of <u>Chorn</u>, however, do not provide "an indication to the first process of the expected time before the resource will become available."

<u>Abe et al.</u> is not sufficient to overcome the aforementioned deficiencies of <u>Chorn</u>. <u>Abe et al.</u> discloses a system in which a first log processing thread outputs all log data including that for a second log processing thread and returns an output completion notification, when the second log processing thread goes into a waiting state for the output completion notification (col. 27, lines 35-45). When the notification is received, the second log processing thread terminates its own processing (col. 27, lines 45-47).

Abe et al. is silent on a resource manager that provides "an indication to the first process of the expected time before the resource will become available."

Simor is not sufficient to overcome the aforementioned deficiencies of Chorn and Abe et al. Simor discloses a system in which a process termination monitor may be requested at each resource allocation for a process (col. 17, lines 55-57). Resource managers are accordingly notified when the process terminates, and the resource release can be initiated by the resource manager itself (col. 17, lines 57-59). This configuration disclosed by Simor, however, does not provide "an indication to the first process of the expected time before the resource will become available."

The Examiner has further admitted that Chorn, Abe et al., and Simor do not teach providing "an indication to the first process of the expected time before the resource will become available," and alleged that Patterson provides such a teaching. However, as noted above, Patterson is not prior art with respect to the present application, rendering its teachings moot.

For at least the foregoing reasons, Applicant submits that the rejection of claims 1, 10-11, and 17 is unsupported by Chorn in view of Abe et al., in further view of Simor, and in further view of Patterson. Applicant also submits that the teachings of Hoffpauir 1 and/or Hoffpauir 2 are insufficient to remedy the aforementioned deficiencies of Chorn, Abe et al., Simor, and Patterson. Accordingly, the combination of Chorn, Abe et al., Simor, Patterson, Hoffpauir 1, and Hoffpauir 2 does not support a rejection of claims 1, 10-11, and 17.

The Examiner rejected claims 2-7 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, and in further

view of Hoffpauir 1. Because claims 2-7 and 18 are dependent claims, the rejection of these claims are unsupportable for the reasons stated above with regard to their respective allowable base claims. Moreover, Applicant respectfully submits that these claims are distinguishable over the applied references for their own patentable features.

The Examiner rejected claims 8-9, 12-15, and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Chorn in view of Abe et al., in further view of Simor, in view of Patterson, and in further view of Hoffpauir 2. As explained above with reference to claim 1, Chorn in view of Abe et al. and Simor do not teach a resource manager being operable to provide "an indication to the first process of the expected time before the resource will become available." Additionally, Patterson is not prior art with respect to the present application.

Hoffpauir 2 is not sufficient to overcome the aforementioned deficiencies of Chorn, Abe et al., Simor, and Patterson. Hoffpauir 2 discloses a system in which an integrated authentication center includes an application process, such as a call processing application, that includes a plurality of software objects such as a home location register and an authentication center (abstract). The system includes a resource manager application that manages and allocates the resources of a resource assembly with respect to a call processor and enables different applications of the call processor to interface with resources of the resource assembly (col. 13, lines 62-66). Hoffpauir 2, however, fails to show providing "an indication to the first process of the expected time before the resource will become available."

For at least the foregoing reasons, Applicant submits that the rejection of claim 12 is unsupported by Chorn in view of Abe et al., in further view of Simor, in view of

Patterson and in further view of <u>Hoffpauir 2</u>. Applicant also submits that the teachings of <u>Jones et al.</u> are insufficient to remedy the aforementioned deficiencies of <u>Chorn</u>, <u>Abe et al.</u>, <u>Simor</u>, <u>Patterson</u> and <u>Hoffpauir 2</u>. Accordingly, the combination of <u>Chorn</u>, <u>Abe et al.</u>, <u>Simor</u>, <u>Patterson</u>, <u>Hoffpauir 2</u>, and <u>Jones et al.</u> does not support a rejection of claim 12.

The rejections of dependent claims 8-9, 13-15, and 19-21 are unsupportable for the reasons stated above with regard to their respective allowable base claims. Moreover, Applicant respectfully submits that these claims are distinguishable over the applied references for their own patentable features.

The Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over <u>Chorn</u> in view of <u>Abe et al.</u>, in further view of <u>Simor</u>, in further view of <u>Hoffpauir 2</u>, and in further view of <u>Jones et al.</u> Because claim 16 is a dependent claim, the rejection of this claim is unsupportable for the reasons stated above with regard to its respective allowable base claim. Moreover, Applicant respectfully submits that this claim is distinguishable over the applied references for its own patentable features.
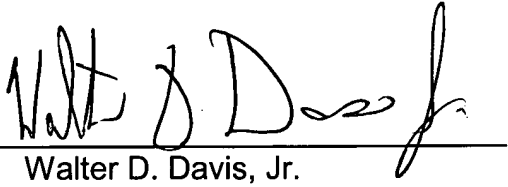
Because none of the Examiner's rejections of the claims are supportable, each of the claims is allowable. Accordingly, Applicant respectfully requests the timely allowance of this application.

If an extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this

Amendment, such extension is requested. If there are any other fees due under

37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required

for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our

Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: April 20, 2004　　　　By: _____

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